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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91209857
Party	Defendant Carlos Deford Bailey and Deford Bailey III
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Attachments	BaileyDefordAmendedOppositionAnswer.pdf(18138 bytes)

agreed to join in with his brother in pursuing the trademark of the likeness of his name, Deford Bailey.

17. After Carlos used and promoted the name of DB, Sr. for 15 years, a Bailey family member, Applicants believe to be Shameka Wiley, Applicant's niece, used Deford Bailey, LLC to take over any monetary proceeds from the likeness and music of DB, Sr.
18. Shameka Wiley has little credibility due to a record of three felonies convictions- attempted murder, and two cases of drug trafficking whom Applicants allege manipulated the 81 year old Deford Bailey, Jr. into signing an alleged assignment.
19. DB, Sr. has been deceased for over 30 years.
20. Applicants overcame a likelihood of confusion rejection by the Examiner citation of the trademark "D Deford" by Applicants entering into a coexistence agreement with the cited trademark owner, Emerson Deford.
21. Applicant Deford Bailey III derived the rights to the name Deford Bailey from his father by virtue of being given that name. His father derived the right to that name from his grandfather. That right cannot be taken away by subsequently granting that right to a third party.
21. Based upon the above allegations and statements, Applicants assert the affirmative defenses of Laches, Estoppel and Acquiescence.

WHEREFORE, Applicants, Carlos Deford Bailey and Deford Bailey III pray that the Amended Opposition No. 91209857 be denied in favor of Applicants and the trademark "Deford